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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

10/810,751

Filing Date

03/26/2004

First Named Inventor

David S. F. Young

Art Unit

1642

Examiner Name

Attorney Docket Number

2056.039

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Copies of (60) references |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

McHale &amp; Slavin, P.A.

Signature

Printed name

Ferris H. Lander

Date

6/27/2005

Reg. No.

43,377

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : David S. F. Young et al  
INVENTION : CYTOTOXICITY MEDIATION OF CELLS  
EVIDENCING SURFACE EXPRESSION OF CD63  
SERIAL NUMBER : 10/810,751  
FILING DATE : March 26, 2004  
EXAMINER :  
GROUP ART UNIT : 1642  
ATTORNEY DOCKET NO. : 2056.039

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CERTIFICATE UNDER 37 CFR §1.8(a)  
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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 CFR §1.56, the references cited on the accompanying forms PTO/SB/08A and PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. Copies of those references previously made of record in parent U. S. Patent Application No. 10/603,006, filed June 23, 2003, upon which the present application claims priority under 35 USC §120, have not been included pursuant to 37 CFR §1.98(d). Copies of the newly-cited references for the above application have been included.

Applicants submit that the present invention is patentable over the cited references.

Date 6/27/2005

Respectfully submitted,

By Ferris H. Lander  
Ferris H. Lander  
Registration No. 43,377  
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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/810,751
Filing Date	03/26/2004
First Named Inventor	David S. F. Young
Art Unit	1642
Examiner Name	
Attorney Docket Number	2056.039

Sheet 1 of 9

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,861,581	08/29/1989	Epstein et al	
		US- 5,171,665	12/15/1992	Hellstrom et al	
		US- 5,484,596	01/16/1996	Hanna, Jr., et al	
		US- 5,693,763	12/02/1997	Codington et al	
		US- 5,750,102	05/12/1998	Eisenbach et al	
		US- 5,780,033	07/14/1998	Torchilin et al	
		US- 5,783,186	07/21/1998	Arakawa et al	
		US- 5,849,876	12/15/1998	Linsley et al	
		US- 5,869,045	02/09/1999	Hellstrom et al	
		US- 5,869,268	02/09/1999	Kudo et al	
		US- 6,180,357	01/30/2001	Young et al	
		US- 5,296,348	03/22/1994	Rakowicz-Szulczynska et al	
		US- 2004/0105816A1	06/03/2004	Young et al	
		US- 2003/0211498A1	11/13/2003	Morin et al	
		US- 2004/0141913A1	07/22/2004	Young et al	
		US- 2004/0141915A1	07/22/2004	Young et al	
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO01/075177	10/11/2001	The Government of the United States of America, as represented by the Secretary, Dept Health & Human Services		<input checked="" type="checkbox"/>
		WO02/55551	07/18/2002	Shanghai Biowindow Gene Development Inc		<input type="checkbox"/>
		CN1364803A	08/21/2002	Shanghai Biowindow Gene Development Inc		<input type="checkbox"/>
		CN1326962A	12/19/2001	Shanghai Bode Gene Development Co Ltd		<input type="checkbox"/>

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Sheet	2	of	9
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Application Number	10/810,751
Filing Date	03/26/2004
First Named Inventor	David S. F. Young
Art Unit	1642
Examiner Name	
Attorney Docket Number	2056.039

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		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		CN1326951A	12/19/2001	Shanghai Bode Gene Development Co Ltd		<input checked="" type="checkbox"/>
		CN1351054A	05/29/2002	Shanghai Bode Gene Development Co Ltd		<input type="checkbox"/>
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				Application Number	10/810,751
				Filing Date	03/26/2004
				First Named Inventor	David S. F. Young
				Art Unit	1642
Examiner Name					
Sheet	3	of	9	Attorney Docket Number	2056.039

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		T. KARPANEN et al, "Vascular endothelial growth factor C promotes tumor lymphangiogenesis and intralymphatic tumor growth", Cancer Research, 61:1786-1790 (March, 2001)	
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		S. Guichard et al, "Schedule-dependent activity of topotecan in OVCAR-3 ovarian carcinoma xenograft: pharmacokinetic and pharmacodynamic evaluation", Clinical Cancer Research, 7:3222-3228 (October, 2001)	
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		K. OLSON et al, "Inhibition of prostate carcinoma establishment and metastatic growth in mice by an antiangiogenin monoclonal antibody", Int. J. Cancer, 98:923-929 (2002)	
		S. HIRSCHFELD et al, "Oncology drug development: United States Food and Drug Administration perspective", Critical Reviews in Oncology/Hematology, 42:137-143 (2002)	

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		Art Unit	1642		
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Sheet	4	of	9	Attorney Docket Number	2056.039

NON PATENT LITERATURE DOCUMENTS			
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		P. THERASSE et al, "New guidelines to evaluate the response to treatment in solid tumors", Journal of the National Cancer Institute, 92(3):205-216 (February, 2000)	
		G. ECKHARDT et al, "Developmental therapeutics: successes and failures of clinical trial designs of targeted compounds", in American Society of Clinical Oncology, pp. 209-219 (2003)	
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		F. BERDITCHEVSKI et al, "Characterization of integrin-tetraspanin adhesion complexes: role of tetraspanins in integrin signaling", J. Cell Biol., 146(2):477-492 (July, 1999)	
		R. YAUCH et al, "Specific interactions among transmembrane 4 superfamily (TM4SF) proteins and phosphoinositide 4-kinase", Biochem. J., 351:629-637 (2000)	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)	<b>Application Number</b>		10/810,751		
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	<b>First Named Inventor</b>		David S. F. Young		
	<b>Art Unit</b>		1642		
	<b>Examiner Name</b>				
<b>Sheet</b>	5	of	9	<b>Attorney Docket Number</b>	2056.039

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		A. ZANNETTINO et al, "Molecular cloning of the cell surface antigen identified by the osteoprogenitor-specific monoclonal antibody, HOP-26", J. Cell. Biochem., 89:56-66 (2003)	
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		P. PETERS et al, "Cytotoxic T lymphocyte granules are secretory lysosomes, containing both perforin and granzymes", J. Exp. Med., 173:1099-1109 (May, 1991)	
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		Y. KOYAMA et al, "CD63, a member of tetraspan transmembrane protein family, induces cellular spreading by reaction with monoclonal antibody on substrata", Biochem Biophys Res Comm, 246(3):841-846 (1998)	
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				Application Number	10/810,751
				Filing Date	03/26/2004
				First Named Inventor	David S. F. Young
				Art Unit	1642
				Examiner Name	
Sheet	7	of	9	Attorney Docket Number	2056.039

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		F. BERDITCHEVSKI et al, "A novel link between integrins, transmembrane-4 superfamily proteins (CD63 and CD81), and phosphatidylinositol 4-kinase", J. Biol. Chem., 272(5):2595-2598 (January, 1997)	
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		C. VENNEGOOR et al, "Circulating melanoma-associated antigen detected by monoclonal antibody NKI/C-3", Cancer Immunol Immunother, 23:93-100 (1986)	
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		M. BARRIO et al, "Monoclonal antibody FC-5.01, directed against CD63 antigen, is internalized into cytoplasmic vesicles in the IIB-BR-G human breast cancer cell line", Hybridoma, 17(6):517-523 (1998)	
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		K. RADFORD et al, "Suppression of human melanoma cell growth and metastasis by the melanoma-associated antigen CD63 (ME491)", Int. J. Cancer, 62:631-635 (1995)	
		L. SIKORA et al, "Characterization of a novel neuroglandular antigen (NGA) expressed on abnormal human melanocytes", Int. J. Cancer, 39:138-145 (1987)	

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		S. KENNEL et al, "Monoclonal antibody to rat CD63 detects different molecular forms in rat tissue", Hybridoma, 17(6):509-515 (1998)	
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		G. SAUER et al, "Expression of tetraspanin adaptor proteins below defined threshold values is associated with in vitro invasiveness of mammary carcinoma cells", Oncology Reports, 10:405-410 (2003)	
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